

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE NEW ENGLAND  
COMPOUNDING PHARMACY, INC.  
PRODUCTS LIABILITY LITIGATION**

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**: MDL No. 02419  
Docket No. 1:13-md-2419-RWZ**

**This document relates to:**

**Gilliam v. Chowdhury, M.D., et al.  
No. 1:15-cv-11367-RWZ**

**: MOTION OF DEFENDANT, TIM I.  
CHOWDHURY, M.D., FOR  
LEAVE TO FILE A REPLY IN  
SUPPORT OF HIS MOTION TO  
DISMISS**

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Pursuant to Local Rule 7.1(b)(3), Defendant, Tim I. Chowdhury, M.D., hereby moves this Court for leave to file a reply in support of his motion to dismiss [Case No. 1:15-cv-11367-RWZ, Dkt. 12] and in response to Plaintiff's memorandum in opposition [Case No. 1:15-cv-11367-RWZ, Dkt. 14] .

Leave is necessary to allow Dr. Chowdhury to address Plaintiff's contentions pertaining to Ohio's affidavit of merit requirement. While Plaintiff maintains said requirement does not apply to this lawsuit, applicable law dictates otherwise. Given the importance of the affidavit of merit issue to this lawsuit and other lawsuits similarly situated, it is imperative that Dr. Chowdhury have the opportunity to fully brief the issue for this Court. Accordingly, a proposed reply is attached to this motion for leave.

Respectfully submitted,

/s/ Bartholomew T. Freeze

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*Counsel for Defendant, Tim I. Chowdhury,  
M.D.*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2015, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system.

/s/ Bartholomew T. Freeze

Bartholomew T. Freeze